



OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE BRAWLEY REDEVELOPMENT AGENCY

AGENDA

REGULAR MEETING FRIDAY, AUGUST 10, 2012 AT 10:00 AM COUNCIL CHAMBERS OF THE CITY OF BRAWLEY 383 MAIN STREET, BRAWLEY, CA 92227

Board Members: George A. Nava, Chairperson
Jay Kruger
Thomas Rutherford
Rosanna Bayon Moore
Katy Santillan
John Lau
Erin Garcia

Secretary: Lorena Savala
Finance Director: Ruby Walla
Legal Counsel: Monica Negrete Lepe

This Oversight Board has been created pursuant to § 34161 through 34190 of the Health and Safety Code for the sole purpose of overseeing the actions of the Successor Agency to the Brawley Redevelopment Agency. In accordance with Health and Safety Code § 34179(h), all Oversight Board actions shall not be effective for three business days, pending a request for review by the State Department of Finance ("Department"). In the event that the Department requests a review of a given Oversight Board action, it shall have 10 days from the date of its request to approve the Oversight Board action or return it to the Oversight Board for reconsideration, and such Oversight Board action shall not be effective until approved by the Department. In the event that the Department returns the Oversight Board action to the Oversight Board for reconsideration, the Oversight Board shall resubmit the modified action for Department approval, and the modified Oversight Board action shall not become effective until approved by the Department. *Materials related to items on this agenda, including those received following posting/distribution are on file in the Office of the Secretary to the Successor Agency to the City of Brawley City Clerk and are available for public inspection during normal business hours, Monday – Thursday, 7:30 am – 5:30 pm and Friday 7:30 am – 4:30 pm closed for lunch from 12:00 – 1:00 pm at 383 Main Street, Brawley, CA 92227, telephone (760) 351-3059.*

- 1. CALL TO ORDER**
- 2. ROLL CALL**

3. ORAL COMMUNICATIONS

- A. Any person wishing to discuss any item not on the agenda may address the Oversight Board of the Successor Agency to the Brawley Redevelopment Agency at this point by giving his/her name and address for the record. Remarks shall be limited to a maximum of three minutes unless the Oversight Board authorizes additional time.
- B. This is the time and place for any person who wishes to comment on agenda items. It should be noted that at the Oversight Board of the Successor Agency to the Brawley Redevelopment Agency's discretion, these comments may be deferred until such time on the agenda as the item is discussed. Remarks shall be limited to a maximum of three minutes unless the Oversight Board authorizes additional time.

4. NEW BUSINESS

- A. ADOPT RESOLUTION NO. 2012- : APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY THROUGH JUNE 2013 & APPROVING CERTAIN RELATED ACTIONS.

5. REPORTS AND REMARKS

- A. CHAIR
- B. MEMBERS OF THE OVERSIGHT BOARD

6. ADJOURNMENT

**OVERSIGHT BOARD
SUCCESSOR AGENCY FOR THE BRAWLEY COMMUNITY
REDEVELOPMENT AGENCY**

Meeting Date: August 10, 2012

To: Oversight Board Members

From: Lorena Savala, Oversight Board Secretary

Subject: Recognized Obligation Payment Schedule (Jan. through June 2013)

RECOMMENDATION: Adopt the attached resolution approving the establishment of the Recognized Obligation Payment Schedule ("ROPS") of the Successor Agency for the Brawley Community Redevelopment Agency for the period of January through June 2013.

BACKGROUND: The Brawley Community Redevelopment Agency was dissolved February 1, 2012. The Oversight Board for the Successor Agency for the Brawley Community Redevelopment Agency ("Oversight Board") has been established pursuant to Health and Safety Code Section 34179 to assist in the wind-down of the dissolved redevelopment agency.

Per Health and Safety Code § 34177 (l)(1), the Successor Agency is required to prepare a Recognized Obligation Payment Schedule ("ROPS") before each six-month fiscal period, which corresponds to equal halves of a fiscal year (i.e., July through December and January through June). The ROPS is the basis for the Successor Agency's authority to make payments due for enforceable obligations.

Successor Agency staff, together with Urban Futures, Inc., has prepared the ROPS for the period of January through June 2013, which consists of several spreadsheets that are appended to the attached Resolution as Exhibit "A". Pursuant to Health and Safety Code § 34177 (m), an Oversight Board-approved ROPS for the period of January through June 2013 must be submitted to the California Department of Finance and the County Auditor-Controller not later than September 1, 2012.

FISCAL IMPACT: Pursuant to Health and Safety Code Section 34177, the Successor Agency is legally required to continue to make payments due for enforceable obligations. The Oversight Board's approval of the establishment of the ROPS will ensure that the Successor Agency has the authority to continue to pay its enforceable obligations. The recommended action does not, in itself, cause any new financial obligations.

ATTACHMENT: Resolution

RESOLUTION NO. 2012-__-OB

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY FOR THE BRAWLEY COMMUNITY REDEVELOPMENT AGENCY APPROVING THE ESTABLISHMENT OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE SUCCESSOR AGENCY FOR THE BRAWLEY COMMUNITY REDEVELOPMENT AGENCY FOR THE PERIOD OF JANUARY THROUGH JUNE 2013.

WHEREAS, the Brawley Community Redevelopment Agency was dissolved February 1, 2012; and

WHEREAS, the Oversight Board (“Oversight Board”) for the Successor Agency (“Successor Agency”) for the Brawley Community Redevelopment Agency has been established pursuant to Health and Safety Code § 34179 to assist in the wind-down of the dissolved redevelopment agency; and

WHEREAS, pursuant to Health and Safety Code § 34180 (g), Oversight Board approval is required for the establishment of each Recognized Obligation Payment Schedule (“ROPS”); and

WHEREAS, pursuant to Health and Safety Code § 34177 (m), an Oversight Board-approved ROPS for the period of January through June 2013 must be submitted to the California Department of Finance and the County Auditor-Controller not later than September 1, 2012; and

WHEREAS, pursuant to Health and Safety Code § 34177, the Successor Agency is legally required to continue to make payments due for enforceable obligations; and

WHEREAS, the Oversight Board’s approval of the establishment of the ROPS will ensure that the Successor Agency has the authority to continue to pay its enforceable obligations; and

WHEREAS, it is proposed that the Oversight Board approve the establishment of the ROPS of the Successor Agency covering the period of January through June 2013, which is attached hereto as Exhibit “A”; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board for the Successor Agency for the Brawley Community Redevelopment Agency, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

Section 2. The establishment of the ROPS of the Successor Agency for the Brawley Community Redevelopment Agency covering the period of January through June 2013, which is attached hereto as Exhibit “A”, is approved.

Section 3. The City Manager, or designee, is hereby authorized to: i) post the ROPS for the period of January through June 2013 on the City's website; ii) transmit the ROPS for the period of January through June 2013 to the County Auditor-Controller, County Administrative Officer, the State Controller and the State Department of Finance; and iii) make ministerial revisions to the ROPS, take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution, and to implement the ROPS for the period of January through June 2013 on behalf of the Successor Agency, including authorizing and causing such payments.

Section 4. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED this ___ day of August 2012.

George A. Nava, Chairperson

ATTEST

Lorena Savala, Secretary

CERTIFICATION:

I, Lorena Savala, Secretary of the Oversight Board for the Successor Agency for the Brawley Community Redevelopment Agency, do hereby certify that the foregoing Resolution No. 2012-__ OB was duly adopted by the Oversight Board for the Successor Agency for the Brawley Community Redevelopment Agency at a meeting thereof held on the __th day of August 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lorena Savala, Secretary

EXHIBIT "A"

**SUCCESSOR AGENCY FOR THE
BRAWLEY COMMUNITY REDEVELOPMENT AGENCY
RECONGNIZED OBLIGATION PAYMENT SCHEDULE
(January through June 2013)**

(See Attachment)

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - CONSOLIDATED
FOR THE PERIOD OF JANUARY THROUGH JUNE 2013**

Name of Successor Agency: Successor Agency to the Brawley Community Redevelopment Agency

	Current	
	Total Outstanding Debt or Obligation	Total Due During Fiscal Year
Outstanding Debt or Obligation	\$ 9,331,293.00	\$ 977,931.00
	Total Due for Six Month Period	
Outstanding Debt or Obligation for this Period (all sources)	\$ 514,633.75	
Available Revenues other than anticipated funding from RPTTF	\$ -	
Enforceable Obligations paid with RPTTF	\$ 389,633.75	
Administrative Cost paid with RPTTF	\$ 125,000.00	

Certification of Authorized Person:

Pursuant to Section 34177(l) of the Health and Safety code,
I hereby certify that, to the best of my knowledge, the above is a true
and accurate Recognized Enforceable Payment Schedule
for the above named agency for the period indicated.
This ROPS is subject to Revision.

Name

Title

Signature

Date

Name of Redevelopment Agency: Successor Agency to the Brawley Community Redevelopment Agency
Project Area(s): Brawley Community Redevelopment Area No. 1 ("RDA No. 1")

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per Cal. H & S Code Section 34177 (l)

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013*	** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)						
								Payments by month—Q1 & Q2 2013						
								Jan. 2013	Feb. 2013	Mar. 2013	Apr. 2013	May 2013	June 2013	Total
1) 2006 Tax Allocation Bonds	9/19/2006	Bank of NY Trust Co.	Funding for RDA Projects	RDA No. 1	\$ 8,937,643.00	\$ 369,281.00	RPTTF	0.00	0.00	120,983.75	0.00	0.00	0.00	\$ 120,983.75
2) Securities Servicing	9/19/2006	Bank of NY Trust Co.	Annual Servicing for 2006 TABs	RDA No. 1	3,000.00	3,000.00	RPTTF	0.00	0.00	0.00	3,000.00	0.00	0.00	\$ 3,000.00
3) Auditing Services	7/1/1999	Moss, Levy & Hertzheim	Prepare Financial Reports Required by HSC	RDA No. 1	9,000.00	9,000.00	RPTTF	4,500.00	4,500.00	0.00	0.00	0.00	0.00	\$ 9,000.00
4) Housing Compliance Monitoring	6/21/2004	Raney (Laurin Div.)	Monitoring of Covenants for 81 Senior Apartments	RDA No. 1	4,500.00	4,500.00	RPTTF	0.00	4,500.00	0.00	0.00	0.00	0.00	\$ 4,500.00
5) Continuing Disclosure Services	9/19/2006	Urban Futures, Inc.	Annual Disclosure Services for 2006 TABs	RDA No. 1	2,150.00	2,150.00	RPTTF	0.00	2,150.00	0.00	0.00	0.00	0.00	\$ 2,150.00
6) Consulting Services	1/25/2011	Urban Futures, Inc.	Successor Agency Wind-Down Services	RDA No. 1	12,500.00	25,000.00	RPTTF	2,084.00	2,084.00	2,084.00	2,084.00	2,084.00	2,084.00	\$ 12,500.00
7) Oversight Board Services	4/1/2011	City of Brawley	OS Board meetings, analyses and legal expenses	RDA No. 1	7,500.00	15,000.00	RPTTF	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	\$ 7,500.00
8) Legal Services	11/2/2011	Dennis Morita, Esq.	Successor Agency General Counsel Services	RDA No. 1	15,000.00	30,000.00	RPTTF	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	\$ 15,000.00
9) Cal Dept. of Corrections & Rehab.	5/27/2011	State of California	Maintenance Services Within RDA No. 1	RDA No. 1	55,000.00	110,000.00	RPTTF	9,167.00	9,167.00	9,167.00	9,167.00	9,167.00	9,167.00	\$ 55,000.00
10) Cal EMA EOC Grant	10/26/2010	City of Brawley/Cal EMA	EOC Grant Match Requirement	RDA No. 1	160,000.00	160,000.00	RPTTF	0.00	0.00	160,000.00	0.00	0.00	0.00	\$ 160,000.00
11)														\$ -
12)														\$ -
13)														\$ -
14)														\$ -
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23)														\$ -
24)														\$ -
25)														\$ -
26)														\$ -
27)														\$ -
28)														\$ -
Totals - This Page (RPTTF Funding)										\$ 295,984.75	\$ 18,001.00	\$ 15,001.00	\$ 14,995.00	\$ 369,633.75
Totals - Page 2 (Other Funding)										\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Page 3 (Administrative Cost Allowance)										\$ 20,834.00	\$ 20,834.00	\$ 20,834.00	\$ 20,834.00	\$ 125,000.00
Grand total - All Pages										\$ 316,818.75	\$ 38,835.00	\$ 35,835.00	\$ 35,829.00	\$ 514,633.75

* All totals due during fiscal year and payment amounts are projected.

** Funding derived from the Successor Agency; (reference to "Other" could also include RPTTF allocated to the Successor Agency prior to January 1, 2013).

RPTTF = Redevelopment Property Tax Trust Fund

UMLHF = Low and Moderate Income Housing Fund

*** Per HSC § 34178(e)(6)(B), SERAF repayments shall not be made prior to FY 2013-14 and shall be based on a specified formula.

Other = reserves, rents, interest earnings, etc.

Agency Administrative Allowance

